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BRIEF APPEALS

FOR THE

LOYAL CAUSE.

BY HON. E. DELAFIELD SMITH,

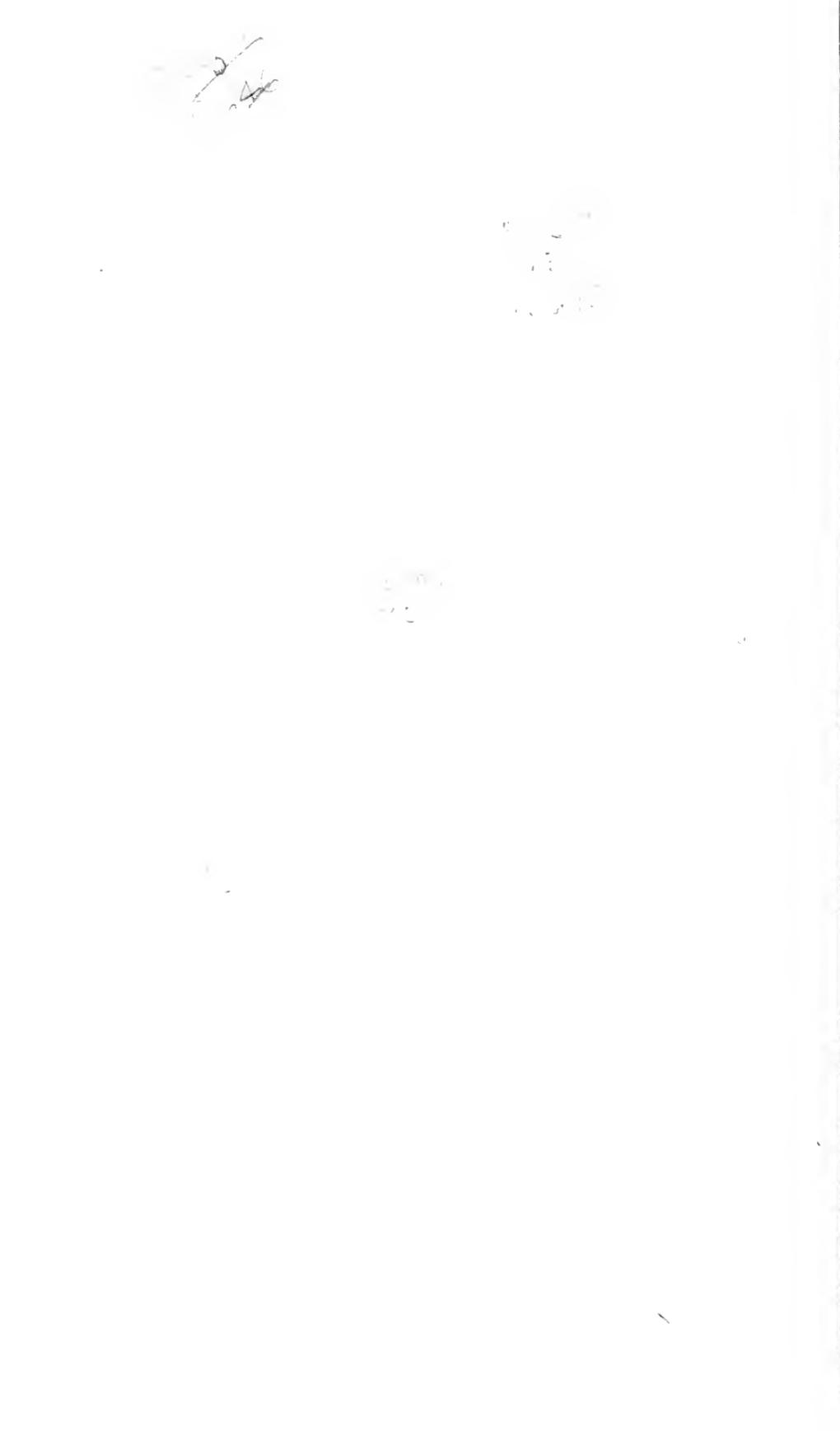
UNITED STATES DISTRICT ATTORNEY AT NEW YORK.

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1863.



The Continent is Trembling.

The continent is trembling with the tramp
Of countless armies. In the dreary camp
And on the wasted field, the flower of youth
And loyalty has given to God and Truth,
To Country and Mankind, the bravest, best
 Of blood, the charm of home, the gem of health,
The calm pursuit of comfort and of wealth,
To save the young Republic of the West.
God guard and cheer them in their glorious strife;
They battle for a sovereign nation's life!

Time was, when over mountain, dale and plain,
A savage sceptre ruled this broad domain.
Our lordly land by northern races won,
The tawny Indian sought the setting sun.

Then came the cohorts of Imperial France;
Their bold battalions quailed before the lance
Of the young warrior, WASHINGTON. Then groaned the earth
With the long travail of a nation's birth.
The haughty Briton bowed and bit the sod—
A new-born nation owned the smile of God !

The years roll on, and o'er the land and seas
Our starry emblem proudly courts the breeze;
Now streams, Quebec ! above thy frowning walls,
Now gaily floats o'er Montezuma's halls.

Time still moves onward, and a stealthy thrust
Brings down our soaring Eagle to the dust;
His breast was proof against a foreign dart,
But Treason almost reached his throbbing heart.
Our land, like Eden, from without secure,

Nursed a cold viper in its flowery bed;
Shall we go forth to weep and to endure,
Or rise and crush the slimy serpent's head ?
God bless the tongue, the pen, the vote, the sword,
By which our nation's sway shall be restored !
God speed free labor and the rights of men,
And plant our flag on Sumter's tower again !
With a new meaning in each sacred fold,
That flag shall make the patriot warrior bold.

And when our captains, with the sword and lance,
Shall lead our armies in their proud advance,
The poor white outcast, with enfranchised slaves,
Shall wave our standard over traitors' graves !*

* These lines were written and inserted by MR. DELAFIELD SMITH, in an address delivered before the Mechanics' Society, at Irving Hall, New York, January 9th, 1863.



Address at Union Square,

AT THE WAR MEETING, CALLED BY THE COMMITTEES OF THE NEW YORK CHAMBER OF COMMERCE, THE COMMON COUNCIL, THE UNION DEFENCE COMMITTEE, AND OTHER BODIES, IN RESPONSE TO AN APPEAL OF THE PRESIDENT OF THE UNITED STATES

FOR ADDITIONAL MILITARY FORCES.

[EXTRACTED FROM A PRINTED REPORT OF THE PROCEEDINGS, PREPARED UNDER THE SUPERVISION OF THE SECRETARY OF THE CHAMBER OF COMMERCE.]

Mr. SMITH, being introduced by General FREMONT, who presided at the stand near the Spingler Institute, was received with great enthusiasm, and spoke as follows:

MEN OF NEW YORK:—This is, in truth, a colossal demonstration. The eye can hardly reach the boundaries of these compact thousands. It would be vain for the voice to attempt it. The people have come in their might. They have come in their majesty. They have “come as the winds come when forests are rended.” They have “come as the waves come when navies are stranded.” We are here to-day, not to speak and acclaim, but to act and incite to action. [Applause.] We know that this monster rebellion cannot be spoken down; it must be fought down! [Cheers.]

We are assembled to animate each other to renewed efforts and nobler sacrifices, in behalf of our imperilled country. There is hardly one of us who has not, at this hour, some endeared relative on the bloody fields of Virginia. The voices of our armed and suffering brethren literally cry to us from the ground. To-day we hear them. To-day let us heed them. [Applause.] The call for fresh troops comes to us from a loved and trusted President—from faithful and heroic generals. [Loud cheers.] This day determines that it shall be answered. [Re-

newed cheers.] Let each act as though specially commissioned to obtain recruits for a sacred service. [Applause.]

FREMONT is here. You have heard his voice. He has told us to uphold our government and sustain our generals in the field. Whatever officer may go to battle with the President's commission, will be made strong by a loyal people's prayers and confidence. [Loud cheering.]

The Army and Navy, the President, the Cabinet and the Congress, have done all that can now be effected by them. The issue to-day is with the people. Do you ask activity on the part of the President? Recall his personal labor and supervision in the council and the field. Do you seek a policy? Look to his solemn conference with the loyalists of the border States. [Cheers.] Do you demand legislation? Witness the matured laws that Congress has spread upon the statute-book. A jurist, from the bench of our highest tribunal, once declared a maxim which shocked the country and the world. It is ours, with our representatives, to respond: A REBEL "HAS NO RIGHTS WHICH A WHITE MAN IS BOUND TO RESPECT!" [Loud and long continued cheering, with waving of hats and handkerchiefs.]

A traitor cannot own a loyalist of any race. Nor can "service be due" to national conspirators, except at the call of public justice. [Laughter and applause.]

The limits of civilized warfare must and will be observed; but those limits are broad as the boundaries of the ocean, and they lie far beyond the lives and the treasure of traitors in arms. [Cheers.] In this mortal combat between the enemies and the friends of republican liberty, wherein treason scruples at nothing, patriots must neglect no means that God and nature have placed in their hands. [Loud cheers.]

These institutions were reared on the ruins of British pride. Their foundations must be reconstructed on the crumbled pretensions of southern oligarchs. [Renewed cheers.] We must, and we will, repel force by force. They who press an iron heel upon the heart of our noble nation, must perish by the sword of her avenging sons. God grant the time may be near when every rebel leader may say his prayers, and bite the dust,

or hang as high as Haman. If we are wise, and true, and brave, the American Union, like the sun in the heavens, shall be clouded but for a night. Still shall it move onward, and every obstacle in its pathway be withered and crushed. [Renewed and continued cheering.]

Victory, indeed, cannot be won, except by arms. Our institutions were the gift of the wounded and dead of the armies of WASHINGTON. SHAKSPEARE said, and we re-utter in a higher sense,

"Things bought with blood must be by blood maintained."

Look to our armies, and rally the people to swell their wasted ranks. Go, you who can. And spare neither men nor money to enable others to march to battle. [Cheers.]

Let loyal men permit no question to distract or divide them. Care not what a man's theories may be, so that his heart feels and his hand works for the Union. Every citizen, North or South, who prays for the success of our arms, and who labors for the vindication of our Constitution, whatever may be his polities or opinions, is a patriot. [Cheers.] They who condemn any class of our fellow-citizens, because of differences on collateral issues—those who declare that a loyal abolitionist is on a level with an armed secessionist—are wrong in head, or at heart unsound. [Applause.]

Let assertions like this be at an end. Let all loyal men, and all loyal journals, abandon arguments which bear the dull and counterfeit ring of traitor philosophy. [Loud applause.]

For the rest—for those who not alone *seem*, but *are*, disloyal—let the people arise in their might, and silence them all, whether they speak in the street to the few, or seek, through the public press, to poison the many. Law, in many things, cannot go so far, nor accomplish so much, as determined public opinion. [Cheers.] While men like ANDREW JOHNSON, of Tennessee, with herculean strength, strike, in their districts, at the hydra of rebellion, shall not we, in New York, war upon the spirit of secession in every form? [Applause, and cries of "We will."] The old flag must be the paramount object of all.

It will be loved by the faithful. By the false, it must be feared. [Vociferous cheering.]

They talk of a distinction between fidelity to the government and devotion to the administration. In the day of national danger or disaster, the two sentiments are inseparable. Distrust him who professes the one only to disclaim the other. [Applause.] When the tempest howls, no prayer breathed for the ship forgets the pilot at her helm. [Applause and cheers.]

Loyalty knows no conditions. Stand by the government! Scrutinize its action; but do it like earnest patriots—not like covert traitors. Stand by the administration! In times like these, party spirit should be lulled. That spirit was hushed in the era of the Revolution—in the days of MADISON and MONROE—and when the hero of New Orleans crushed the rising form of Nullification. Our fathers stood by JACKSON, as their sires sustained WASHINGTON. It is our privilege to uphold the arm of a President, great and pure, who will share their glory on the page of history. [Loud cheering.]

I must trespass no longer. [Cries of "go on, go on."] No, fellow-citizens; I will bid you farewell. Our illustrious Secretary of State has this day given to the army the only son not already in the public service. Let us emulate his spirit of sacrifice, and think nothing too dear to offer on the altar of our country.

Mr. SMITH spoke with a clear, loud voice, and retired in the midst of most enthusiastic cheering.

Speech at Madison Square,

AT THE MEETING, HELD APRIL 20, 1863, UNDER THE AUSPICES OF
THE UNION LEAGUES, TO PLEDGE OUR ARMIES IN THE FIELD
THE MORAL SUPPORT OF THE PEOPLE AT HOME.

[EXTRACTED FROM THE RECORD OF THE ADDRESSES, PUBLISHED BY THE COMMITTEE OF
ARRANGEMENTS.]

Mr. WILLIAM E. DODGE, the Chairman at the ladies' stand, came forward, and said: "Fellow-citizens, I have the honor to introduce the only prosecuting officer who ever had the courage to undertake, and the ability to accomplish, the execution on the gallows of a slave-trader. I present to you the Hon. E. DELAFIELD SMITH, United States District Attorney." Mr. SMITH was welcomed with cheering, which lasted for some time after he appeared in front of the platform. He then proceeded to speak as follows:

CITIZENS OF NEW YORK:—When Athenians met, as ancient annals tell, to deliberate upon the welfare of their country, a prayer ascended to the gods—an invocation for a blessing. Heaven's sun smiles not upon us to-day; but we have a benediction through the medium of this delegation of Heaven's nearest representatives. [Applause.] The lady of the South hugs the rattlesnake emblem, because it is the symbol of her negro dowry. The daughter of the North reads in her flag the record of a nation's glory. [Renewed applause.]

I shall acknowledge the generous introduction of your president, and the cordial greeting of this assemblage, by an address remarkable only for its brevity. Why should we not be brief? There is but one question before the American people. That question, indeed, is of mighty magnitude, and upon its solution hangs the fate of the "great republic." But

it is easily answered. Have Americans of 1861 the constancy and courage to crush domestic traitors, as their fathers, in 1776, subdued British foes? To what purpose was the blood of the Revolution shed, if the soil that absorbed it produces a race too cowardly or too factious to fight and unite for the welfare, the integrity, the existence of a nation like this? [Renewed cheering.]

I sat in the gallery of the Senate a few weeks before BRECKINRIDGE crawled from the national capital to a rebel camp. The Union and the Constitution were covered all over with the slime of his praise. Many in the North are allied to him in secret sympathy, and the lurking demon that haunted his heart prompts them to the substance of the same outward utterances. Away with all disguises! [Cheers.] Are we for our country? Then we are patriots! Are we for her destroyers? Then their guilt is ours! WITHOUT A COMMON FLAG, WHERE IS THE UNION? WITHOUT A COUNTRY, WHERE IS THE CONSTITUTION? [Loud and prolonged cheering.]

In the years of by-gone parties, Whig generals, in a Democratic war, led American armies to the city of Mexico. Tonight, we behold Democratic leaders rallying the people around a government from which they may differ as to administration, but with which they are one in a determination to preserve and perpetuate it. Democrats! you have never faltered in protecting your country from foreign bayonets. Will you not shield her from more deadly daggers, aimed at her breast by her own pampered and treacherous children? [Applause.]

“One country, one constitution, one destiny!” Such is the spirit of exhortation that comes from Mount Vernon, from Monticello, from Quincy, from the Hermitage, from the shades of Ashland, and from the sea-washed meadows of Marshfield. “One country, one constitution, one destiny!” Let this lesson, breathed from the tomb of a patriot, and mingling with the traditions of the past, prevail over dishonoring suggestions from degenerate sons of the present, as the hiss of the serpent that may creep over the grave of WEBSTER is lost in the ocean murmurs by which his solemn requiem is forever sung! [Loud cheering.]

Democrats! the party of JACKSON has foundered too long in shallow Southern harbors. It has been lured by false lights and steered by drunken helmsmen. The time has come to re-ship the old crew, and sail in the track of the Northern star. [Cheers.]

Who are they who distract and divide the people? Let their discord be hushed in the loud music of according voices, swelling the anthem of Freedom and Nationality! [Continued cheering.]

I close as I began. There is but one vital question—but one living issue. They that are true upon that, are right in everything. Those who inflate minor matters into moment now, are themselves deluded, or aim to make others the victims of deception. HE WHO LOVES SLAVERY OR PARTY, AND HE WHO HATES SLAVERY OR PARTY, MORE THAN HE LOVES HIS COUNTRY, MAY CALL HIMSELF A DEMOCRAT OR A PHILANTHROPIST, BUT HE CANNOT BE A PATRIOT! [Loud and continued cheering.]

Resolutions

PRESENTED, AT THE REQUEST OF THE COMMITTEE OF ARRANGEMENTS, AT A UNION MEETING, HELD AT COOPER INSTITUTE, NEW YORK, OCTOBER 29, 1863, ON THE EVE OF THE NEW YORK STATE ELECTION.

[COPIED FROM REPORTS OF THE MEETING, PUBLISHED IN THE DAILY PRESS.]

Resolved, That political parties can have no legitimate existence, when the questions to which they owed their vitality have faded from the public mind. Organizations, the healthful growth of a state of peace, may well prove out of place and pernicious in a period of insurrection. Opinions, born of a dead past, often admit of no application to living issues of the present. The partisan divisions which were visible when this defensive war broke out, have been obliterated by the wave of popular feeling which has swept over the land, receiving its first but not its last impulse upon the desecration of the American flag at the fall of Sumter.

Resolved, That both the Whig and Democratic parties having fulfilled their respective missions, and having been long ago consigned to the tomb of the Capulets, the continued attempt of the allies and dupes of treason to galvanize their remains and to make them stalk at the head of their motley ranks, is an insult to the intelligence of the American people. And the outrage is the more flagrant when the image of HENRY CLAY is made in effect to carry the flag of Disunion, and the shade of ANDREW JACKSON is invoked to bear the banner of Secession.

Resolved, That the Unionists of New York, coming and combining from all organizations, look with contempt upon the efforts of men who have never acted with the Democratic party, to use its name and traditions against the government of their country it its mortal struggle with rebellion. And we hail with satisfaction the indications everywhere prevailing, that the Democratic masses, warned of new lights, are following in great numbers the signals of old and tried leaders, and are practically demonstrating their devotion to the cause of patriotism and principle.

Resolved, That human ingenuity may be taxed in vain to discover a distinction, in moral guilt or in baleful influence, between men who adhere to a foreign despot and those who encourage a domestic conspirator. A tyrant, in 1776, attempted to smother a country in its infancy. A traitor, in 1861, seeks to assassinate a nation in its manhood. Americans who then avowedly or secretly gave aid and comfort to **GEORGE THE THIRD**, were not one whit more culpable than those who now, either openly or covertly, sustain the falling fortunes of **JEFFERSON DAVIS**. Native Tories and Hartford Conventionists, Nullificationists and Copperheads, will be consigned, in our country's glorious future, to one common grave of infamy and execration.

Resolved, That the existing conflict waged by the national authority to defend the Constitution, perpetuate the Union, and preserve the nation's life, is equally sacred with the war of the Revolution, to which the nation owes its origin. That in a cause so momentous, it is our duty to use every weapon known to the righteous usages of nations. That, to this end, we heartily approve the several acts of Congress for enrolling the national forces; providing bounties for volunteers; wresting the *habeas corpus* from the uses of treason; indemnifying public officers from the malignity of arrested traitors; retaliating for outrages upon Southern Unionists and weakening the enemy by confiscating the property of rebels; opening the lands of the South to free white labor; arming friendly troops, of every color, creed and clime; and the President's immortal proclamation for the perpetual emancipation of the slave.

Resolved, That again and again we return our grateful acknowledgments to the soldiers and sailors who, upon the land and sea, have bravely borne our flag through the storms of battle. We tender them our congratulations upon the moral sympathy and support with which the ballot-box has responded to the tidings of their triumphs. While Vicksburg has answered to Gettysburg, and while Port Hudson, Little Rock, and East Tennessee, have united in a national anthem, Connecticut has called to California, California to Maine, Maine to Iowa, Iowa to Vermont, Vermont to Indiana, until at length the voices of all have been drowned in the popular artillery which has thundered from the mines of Pennsylvania and from the gardens of Ohio.

Resolved, That the action of our opponents in every State wherein they have possessed either legislative or executive control, in with-

holding the sacred right of suffrage from our brave defenders in the field, exhibits a fear of the masses in singular contrast with the unterrified confidence of the democracy of other days. Under whatever pretext or subterfuge that right may be denied, we challenge the most acute champion of this injustice to produce a substantial reason for its infliction, except that the soldier's ballot, like his blood, is consecrated to the cause of his country.

Resolved, That the defeat of WOODWARD, a wary conservative, the rebuke of TUTTLE, a dissatisfied General, and the annihilation of VALLANDIGHAM, a martyr to treason, alike demonstrate that no device can hide from the people the evil influence of Opposition victories, no matter under what auspices those victories may be achieved. No party can be entitled to the confidence of a country when its successes are promoted by the defeat, and its discomfitures by the triumph of the National arms. As MACBETHI was prompted to treason and murder by the black prophecies of the heath, so the South was instigated to rebellion and usurpation by the darker promises of Northern democrats. And later: Rebellion, staggered by telling blows, revived upon the hope of Opposition gains; and now, New York, having intrusted her executive power to the Opposition, has taught her own people, as well as her sister States, how much of encouragement can thus be imparted to the Rebel Government, and how little to our own.

Resolved, That in common with the electors of other States, the people of New York distrust the loyalty of those who extol the deeds of rebel chieftains, but hear in silence the achievements of Union heroes; and who, while mourning over the detention of traitors in forts of the North, have no word of sympathy for suffering patriots in prisons of the South.

Resolved, That while the honest exercise of the right of criticism upon the acts of public men is approved and defended, we condemn the abuse of that right, as practiced by those who systematically misrepresent, and indiscriminately denounce, the motives and measures of the constitutional directors of our National Government. That, overwhelmed as they have been by difficulties and responsibilities of a magnitude unknown to their predecessors, no candid patriot will withhold the expression of surprise, not that errors have been so many, but rather that they have been so few. THAT OUR SURE AND STEADY AD-



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VANCEMENT UPON THE LAND AND THE WATERS, BEING THE RESULT OF PLANS PROPOSED AND CO-OPERATED IN BY BOTH MILITARY AND CIVIL AUTHORITIES, IS THE RIGHTFUL GLORY OF BOTH THESE BRANCHES OF OUR COUNTRY'S SERVICE. THE MASTERLY DIPLOMACY OF THIS ADMINISTRATION; THE TOWERING ABILITY AND THE SUCCESS OF ITS FINANCIAL HEAD; THE STATESMANSHIP AND PATRIOTISM OF ITS CHIEF, ARE RECOGNISED WITH PRIDE BY THE LOYAL PEOPLE OF THE NATION. They who denounced WASHINGTON throughout the doubtful period of the Revolution; MADISON in the war of 1812; JACKSON in his conflict with Nullification, and LINCOLN in his struggles with the Great Rebellion, will be charged by posterity with common motives, and history will do justice to assailants and assailed.

Resolved, That unable to directly write these doctrines upon our ballots, the Unionists of New York, without regard to past political divisions, will vote for the men by whom these principles are represented.

Resolved, That in the alliance recently concluded in this city, between hostile factions of the Opposition, the people have witnessed the most dangerous encroachment upon their liberties and their safety. Political conventions, throwing off all pretense to representative fidelity, have resigned their powers to sub-committees, and they, in turn, despising alike the interests of the community and the wishes of the honest adherents of their party, have bargained away both county and judicial stations. Crying out against alleged arbitrary measures to maintain the government of their country, they, at the same time, attempt to subject the people of this city, even those of their own faith, to the most shameless tyranny. THE GLARE OF THE INCENDIARY'S TORCH WAS HARDLY EXTINGUISHED—THE CRY OF THE HELPLESS ORPHAN, AND OF THE MURDERED INNOCENT WAS SCARCELY HUSHED—THE YELL OF AN INFURIATED MOB, INFLAMED BY SKULKING LEADERS, WAS BUT JUST OVERCOME, WHEN THE INDEPENDENCE OF THE JUDICIARY OF OUR CITY, THE ULTIMATE PROTECTION OF LIFE AND PROPERTY, WAS DIRECTLY ASSAILED. Precedent may be searched in vain for the overthrow, in this city, of upright judges, by their own party, to compass personal interests or political schemes. The discarded candidates, although not of our political faith, we shall sustain. But the lesson will not be complete unless all the expected fruits of this combination shall be turned to ashes on the lips of its inventors.

These resolutions were received with loud demonstrations of approval, and were unanimously adopted.

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